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Stuart B Shapiro
EDELL SHAPIRO & FINNAN LLC
1901 Research Blvd
Suite 400
Rockville, MD 20850-3164

EXAMINER
PHAM, HUNG Q

ART UNIT	PAPER NUMBER
2172	

DATE MAILED: 09/23/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

PTO-90C (Rev 10/03)

	Application No.	Applicant(s)
Office Action Summary	09/489,570	BAER ET AL.
	Examiner	Art Unit
	HUNG Q PHAM	2172

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) FROM
THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed
  after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
  Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any
  earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on <u>22 January 2004</u>.

2a)☐ This action is **FINAL**.   2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is
   closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) <u>1-75</u> is/are pending in the application.

   4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) <u>1-75</u> is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

   Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

   Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

   a)☐ All   b)☐ Some * c)☐ None of:

   1.☐ Certified copies of the priority documents have been received.

   2.☐ Certified copies of the priority documents have been received in Application No. _____.

   3.☐ Copies of the certified copies of the priority documents have been received in this National Stage
      application from the International Bureau (PCT Rule 17.2(a)).

   * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1)☐ Notice of References Cited (PTO-892)

2)☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3)☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
   Paper No(s)/Mail Date <u>1,4/22&8/11/04</u>.

4)☐ Interview Summary (PTO-413)
   Paper No(s)/Mail Date. _____ .

5)☐ Notice of Informal Patent Application (PTO-152)

6)☐ Other: _____.

DETAILED ACTION

Continued Examination Under 37 CFR 1.114

1.   A request for continued examination under 37 CFR 1.114, including the

fee set forth in 37 CFR 1.17(e), was filed in this application after allowance or after an

Office action under *Ex Parte Quayle*, 25 USPQ 74, 453 O.G. 213 (Comm'r Pat. 1935).

Since this application is eligible for continued examination under 37 CFR 1.114, and the

fee set forth in 37 CFR 1.17(e) has been timely paid, prosecution in this application has

been reopened pursuant to 37 CFR 1.114. Applicant's submission filed on 01/22/2004

has been entered.

Information Disclosure Statement

2.   The information disclosure statement (IDS) submitted on 01/22/2004,

04/22/2004 and 08/11/2004 were filed after the mailing date of the Request for

Continued Examination on 01/22/2004. The submission is in compliance with the

provisions of 37 CFR 1.97. Accordingly, the information disclosure statement is being

considered by the examiner.

Claim Rejections - 35 USC § 103

3.   The following is a quotation of 35 U.S.C. 103(a) which forms the basis for

all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set
> forth in section 102 of this title, if the differences between the subject matter sought to be patented and
> the prior art are such that the subject matter as a whole would have been obvious at the time the
> invention was made to a person having ordinary skill in the art to which said subject matter pertains.
> Patentability shall not be negatived by the manner in which the invention was made.

This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

4.   **Claims 1-22, 26-47 and 51-72 are rejected under 35 U.S.C. 103(a) as being unpatentable over The McGraw-Hill Companies (McGraw-Hill) [Build a Book Online, http://web.archive.org/web/19980513002459/http://mhhe.com/primis/ and http://www.mhhe.com/primis/catalog/pcatalog/primisweb.ppt] in view of Rowe et al. [USP 6,073,148].**

Regarding to claims 1, 26 and 51, McGraw-Hill teaches a structure for storing a customized e-book online as *a content object capable of being produced by a processing system and including a plurality of content entities*. As shown in page 9, a user could select a plurality of predefined sections under a chapter of a selected book to compile into a complimentary custom book in PDF format. As shown in page 22, the e-book as *content object*, is the step of *storing as a file object within the data repository a list of* selected sections and chapters by a user as *content entity identifiers indicating the content entities*

within the content object, wherein the arrangement of the content entity identifiers within the

list corresponds to a content object hierarchical structure including a chapter as *at least one*

hierarchical tier and the section of that chapter as *at least one subordinate tier*, and

wherein the content entity identifiers are determined by the processing system and placed in

the list in response to a user selection of content entities for the content object as in page 19

Returning to page 22, a user could reorder the content if necessary by clicking the

arrow buttons that correspond to the sections. Thus, *the presence and position of content*

entity identifiers within said list are modifiable by the user to alter content and arrangement of

the content object. McGraw-Hill does not explicitly teach the step of *storing ones of the*

plurality of content entities within the data repository as a plurality of individually accessible

file objects, wherein each file object contains one content entity, and wherein the content

entity identifiers each include identification information identifying the file object containing

the content entity associated with that identifier. Rowe teaches an apparatus for organizing

a PDF file. As disclosed by Rowe, object types used in a typical PDF file include page

objects, page contents objects including text, words and graphical objects (Rowe, Col.

7, Lines 30-40). As shown in FIG. 2a, view 45 is a table of contents or bookmark view

(Rowe, Col. 7, Lines 65-66) that allows a user to select and display a particular portion

of the document that the user has specifically marked and labeled with text, graphics.

For example, different chapter headings can be displayed as labels in bookmark so that

when the user selects a chapter, the first page of that chapter is displayed in view

window 39 (Rowe, Col. 8, Lines 6-13). Rowe further discloses an object typically

includes an object ID to identify the object within the document (Rowe, Col. 12, Lines

52-55). As disclosed by McGraw-Hill, each chapter of a complimentary custom book as in McGraw-Hill page 22 associates with a number of pages. Thus, a chapter with its own content of McGraw-Hill custom book, obviously, is also a *file object*, and *a plurality of individually* chapters are *accessible file objects storing* page content objects including text, words or graphical objects as *ones of the plurality of content entity within the data repository, wherein each file object contains one content entity*, object ID or chapter names as *the content entity identifiers each include identification information identifying the* chapter as *file object containing* page content object as *the content entity associated with that identifier*. It would have been obvious for one of ordinary skill in the art at the time the invention was made to modify the McGraw-Hill technique by using the page objects and page content objects for the pages associated with a chapter in order to customize an e-book.

Regarding to claims 11, 36 and 61, McGraw-Hill teaches a structure for storing a customized e-book online as *a content object capable of being produced by a processing system and having a plurality of content entities*. As shown in page 9, a user could select a plurality of predefined sections under a chapter of a selected book to compile into a complimentary custom book in PDF format. As shown in page 22 is *a file object within the data repository storing an outline of* chapters *as containers and* a list of selected sections by a user as *content entity identifiers defining the content and corresponding to a hierarchical structure of the content object, wherein each* chapter as *container represents a hierarchical tier and includes at least* one section name *as content entity identifier forming a*

subordinate hierarchical tier, and wherein the content entity identifier are determined by the

processing system and placed in the outline in response to user selection of content entities for

the content object. Returning to page 22, a user could reorder the content if necessary by

clicking the arrow buttons that correspond to the sections. Thus, *the presence and*

position of containers and content entity identifiers within said outline are modifiable by the

user to alter content and hierarchy of the content object. McGraw-Hill does not explicitly

teach the step of *storing ones of the plurality of content entities within the data repository as*

a plurality of individually accessible file objects, wherein each file object contains one content

entity, and wherein the content entity identifiers each include identification information

identifying the file object containing the content entity associated with that identifier. Rowe

teaches an apparatus for organizing a PDF file. As disclosed by Rowe, object types

used in a typical PDF file include page objects, page contents objects including text,

words and graphical objects (Rowe, Col. 7, Lines 30-40). As shown in FIG. 2a, view 45

is a table of contents or bookmark view (Rowe, Col. 7, Lines 65-66) that allows a user to

select and display a particular portion of the document that the user has specifically

marked and labeled with text, graphics. For example, different chapter headings can be

displayed as labels in bookmark so that when the user selects a chapter, the first page

of that chapter is displayed in view window 39 (Rowe, Col. 8, Lines 6-13). Rowe further

discloses an object typically includes an object ID to identify the object within the

document (Rowe, Col. 12, Lines 52-55). As disclosed by McGraw-Hill, each chapter of a

complimentary custom book as in McGraw-Hill page 22 associates with a number of

pages. Thus, a chapter with its own content of McGraw-Hill custom book, obviously, is

also a *file object*, and *a plurality of individually* chapters are *accessible file objects storing*

page content objects including text, words or graphical objects as *ones of the plurality of*

content entity within the data repository, wherein each file object contains one content entity,

object ID or chapter names as *the content entity identifiers each include identification*

information identifying the chapter as *file object containing* page content object as *the*

content entity associated with that identifier. It would have been obvious for one of

ordinary skill in the art at the time the invention was made to modify the McGraw-Hill

technique by using the page objects and page content objects for the pages associated

with a chapter in order to customize an e-book.

Regarding to claims 2, 27 and 52, McGraw-Hill and Rowe teaches all the claimed

subject matters as discussed in claims 1, 26 and 51, Rowe further discloses the step of

creating an attribute table in the data repository for storing an attribute pertaining to at least

one of content objects and content entities (Rowe, FIG. 2A).

Regarding to claims 3, 28 and 53, McGraw-Hill and Rowe teaches all the claimed

subject matters as discussed in claims 2, 27 and 52, Rowe further discloses *the step of*

creating a row for each content object in the attribute table, the row containing at least one

attribute pertaining to the content entity (Rowe, FIG. 2A).

Regarding to claims 4, 29 and 54, McGraw-Hill and Rowe teaches all the claimed

subject matters as discussed in claims 2, 27 and 52, Rowe further discloses the step of

creating a row for each content entity in the attribute table, the row containing at least one attribute pertaining to the content object (Rowe, FIG. 2A).

Regarding to claims 5, 30 and 55, McGraw-Hill and Rowe teaches all the claimed subject matters as discussed in claims 2, 27 and 52, Rowe further discloses *at least one attribute is extracted from the content object* (Rowe, Col. 9, Lines 14-44).

Regarding to claims 6, 31 and 56, McGraw-Hill and Rowe teaches all the claimed subject matters as discussed in claims 1, 26 and 51, Rowe further discloses *ones of the content entities further comprise components associated with the content object, and further comprising the step of storing each associated component as a file object* (Rowe, Col. 9, Lines 14-44).

Regarding to claim 7, 32 and 57, McGraw-Hill and Rowe teaches all the claimed subject matters as discussed in claim 1, 26 and 51, McGraw-Hill further discloses *the content object is one of a book, a collection of images, an album, and a video* (McGraw-Hill, page 3).

Regarding to claim 8, 33 and 58, McGraw-Hill and Rowe teaches all the claimed subject matters as discussed in claim 1, 26 and 51, McGraw-Hill further discloses *the content object is a book and ones of the content entities are one of volumes, chapter and sections* (McGraw-Hill, pages 3 and 22).

Regarding to claims 9, 34 and 59, McGraw-Hill and Rowe teaches all the claimed

subject matters as discussed in claims 1, 26 and 51, McGraw-Hill further discloses *the*

content object is a compilation of content (McGraw-Hill, page 3).

Regarding to claims 10, 35 and 60, McGraw-Hill and Rowe teaches all the

claimed subject matters as discussed in claims 6, 31 and 56, Rowe further discloses *at*

least one of the associated components comprises an image (Rowe, Col. 7, Lines 30-35).

Regarding to claims 12, 37 and 62, McGraw-Hill and Rowe teaches all the

claimed subject matters as discussed in claims 11, 36 and 61, Rowe further discloses

the step of *creating an attribute table in the data repository for storing an attribute pertaining*

to at least one of content objects and content entities (Rowe, FIG. 2A).

Regarding to claims 13, 38 and 63, McGraw-Hill and Rowe teaches all the

claimed subject matters as discussed in claims 12, 37 and 62, Rowe further discloses

the step of creating a row for each content object in the attribute table, the row containing at

least one attribute pertaining to the content object (Rowe, FIG. 2A).

Regarding to claims 14, 39 and 64, McGraw-Hill and Rowe teaches all the

claimed subject matters as discussed in claims 12, 37 and 62, Rowe further discloses

the step of *creating a row for each container in the attribute table, the row containing at least one attribute pertaining to the container* (Rowe, FIG. 2A).

Regarding to claims 15, 40 and 65, McGraw-Hill and Rowe teaches all the claimed subject matters as discussed in claims 12, 37 and 62, Rowe further discloses the step of *creating a row for each content entity in the attribute table, the row containing at least one attribute pertaining to the content entity* (Rowe, FIG. 2A).

Regarding to claims 16, 41 and 66, McGraw-Hill and Rowe teaches all the claimed subject matters as discussed in claims 12, 37 and 62, Rowe further discloses *at least one attribute is extracted from the content object* (Rowe, Col. 9, Lines 14-44).

Regarding to claims 17, 42 and 67, McGraw-Hill and Rowe teaches all the claimed subject matters as discussed in claims 11, 36 and 61, Rowe further discloses *ones of the content entities further comprise components associated with the content object, and further comprising the step of storing each associated component as a file object* (Rowe, Col. 9, Lines 14-44).

Regarding to claim 18, 43 and 68, McGraw-Hill and Rowe teaches all the claimed subject matters as discussed in claim 11, 36 and 61, McGraw-Hill further discloses *the content object is one of a book, a collection of images, an album, and a video* (McGraw-Hill, page 3).

Regarding to claim 19, 44 and 69, McGraw-Hill and Rowe teaches all the claimed subject matters as discussed in claim 11, 36 and 61, McGraw-Hill further discloses *the content object is a book and ones of the content entities are one of volumes, chapter and sections* (McGraw-Hill, pages 3 and 22).

Regarding to claim 20, 45 and 70, McGraw-Hill and Rowe teaches all the claimed subject matters as discussed in claim 11, 36 and 61, McGraw-Hill further discloses *the content object is a book and ones of the containers are one of books, volumes and chapters* (McGraw-Hill, pages 3 and 22).

Regarding to claims 21, 46 and 71, McGraw-Hill and Rowe teaches all the claimed subject matters as discussed in claims 11, 36 and 61, McGraw-Hill further discloses *the content object is a compilation of content* (McGraw-Hill, page 3).

Regarding to claims 22, 47 and 72, McGraw-Hill and Rowe teaches all the claimed subject matters as discussed in claims 17, 42 and 67, Rowe further discloses *at least one of the associated components comprises one of an image, a video segment and an audio segment* (Rowe, Col. 7, Lines 30-35).

5.   **Claims 23-25, 48-50 and 73-75 are rejected under 35 U.S.C. 103(a) as being unpatentable over The McGraw-Hill Companies (McGraw-Hill) [Build a Book**

Online, http://web.archive.org/web/199805130002459/http://mhhe.com/primis/ and

http://www.mhhe.com/primis/catalog/pcatalog/primisweb.ppt].

Regarding to claims 23, 48 and 73, McGraw-Hill teaches a structure for storing a

customized e-book online as *a content object*. A customized e-book is built by compiling

parts of several texts and add articles, review notes, case studies, which are selected

from any discipline in any order (page 3). As shown on page 22 is the content of a

compiled customized e-book, *the content being stored within the data repository as a file*

object containing an ordered list of chapter names and sections as *content entity identifiers*

indicating the content entities within an arrangement of the content object. Page 22 also

indicates the step of *retrieving the* e-book as *file object containing* chapter names and

sections as *the list of content entity identifiers*, and *the arrangement of* the chapter names

and sections as *content entity identifiers within the list corresponds to a content object*

hierarchical structure including at least one hierarchical tier and at least one subordinate tier,

and wherein each content entity is stored as an individually accessible file object within the

data repository by using the view button. Returning to page 22, a user could reorder the

content if necessary by clicking the arrow buttons that correspond to the sections as the

step of *enabling modification of the presence and position of content entity identifiers within*

the list by a user to alter the content and arrangement of the content object, and by clicking

the view button on *each* section as *content entity identifier*, the text pages or *individually*

access file object corresponding to the identified content entity can be *retrieved* for viewing

as in page 19. McGraw-Hill does not explicitly teach the step of *inserting the content*

entity into the ordered list at the location of its content entity identifier. However, returning

back to page 19, after viewing a section and satisfying with the content of that section,

the user can use the add button to compile his/her book. The e-book after the compiling

process is shown on page 22, and the user still can review that content by using the

view button as in page 22 to link to the content. Thus, the text pages as *content entity*

represented by a section name, obviously, is *inserted into the ordered list at the location of*

the section name or *content entity identifier* by using the add button as in page 19. It

would have been obvious for one of ordinary skill in the art at the time the invention was

made to modify the McGraw-Hill technique by including the step of inserting the content

entity into the ordered list in order to compile an e-book.

Regarding to claims 24, 49 and 74, McGraw-Hill teaches a structure for storing a

customized e-book online as *a content object.* A customized e-book is built by compiling

parts of several texts and add articles, review notes, case studies, which are selected

from any discipline in any order (page 3). As shown on page 22 is the content of a

compiled customized e-book, *the content is defined by an ordered list of* chapter names

and sections as *content entity identifiers identifying one or more content entities each stored*

in a data repository as an individually accessible file object, and *the arrangement of* the

chapter names and sections as *content entity identifiers within the list corresponds to a*

content object hierarchical structure including at least one hierarchical tier and at least one

subordinate tier. Returning to page 22, a user could reorder the content if necessary by

clicking the arrow buttons that correspond to the sections as the step of *enabling*

modification of the presence and position of content entity identifiers within said list by a user to alter the content and structure of the content object, and by clicking the `view` button on *each* section as *content entity identifier*, the text pages or *individually access file object corresponding to the identified content entity* can be *retrieved* for viewing as in page 19. McGraw-Hill does not explicitly teach the step of *inserting the content entity into the ordered list at the location of its content entity identifier*. However, returning back to page 19, after viewing a section and satisfying with the content of that section, the user can use the `add` button to compile his/her book. The e-book after compiling process is shown on page 22, and the user still can review that content by using the `view` button as in page 22 to link to the content. Thus, the text pages as *content entity* represented by a section name, obviously, is *inserted into the ordered list at the location of* the section name or *content entity identifier* by using the `add` button as in page 19. It would have been obvious for one of ordinary skill in the art at the time the invention was made to modify the McGraw-Hill technique by including the step of inserting the content entity into the ordered list in order to compile an e-book.

Regarding to claims 25, 50 and 75, McGraw-Hill and Rowe teaches all the claimed subject matters as discussed in claims 24, 49 and 74, McGraw-Hill further discloses the step of *assigning an identifier to the content object; and assigning new content entity identifiers to the content entities, the new identifiers including the identifier assigned to the content object* (pages 3 and 22).

Conclusion

6.   Any inquiry concerning this communication or earlier communications from the examiner should be directed to HUNG Q PHAM whose telephone number is 703-605-4242. The examiner can normally be reached on Monday-Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, JOHN E BREENE can be reached on 703-305-9790. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Examiner Hung Pham
September 15, 2004

SHAHID ALAM
PRIMARY EXAMINER